

J1048 U.S. PTO



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## PATENT

Customer Number 22,852  
Attorney Docket No. 2734.511

JG503 U.S. PRO  
10/014159  
12/13/01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Prior Application Art Unit: 1732 Prior Application Examiner: A. Kuhns

SIR: This is a request for filing a

Continuation  Continuation-in-Part  Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/425,295 filed October 25, 1999 of Timothy P. Hartjes et al. for METHOD AND APPARATUS FOR MAKING HEAT-INSULATIVE FOAMED LAYER CONTAINERS AND A WEB OF HEAT-INSULATIVE FOAMED LAYER MATERIAL

1.  Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 09425,295 as originally filed on October 25, 1999, which is incorporated herein by reference.
2.  Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3.  Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4.  Cancel Claims [Text].
5.  A Preliminary Amendment is enclosed.
6.  The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

Basic Application Filing Fee				\$740	\$ 740.00
	Number of Claims	Basic	Extra Claims		
Total Claims	32 -	20	12	x \$18	216.00
Independent Claims	3 -	3	0	x \$84	0.00
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)				+\$280	
TOTAL APPLICATION FILING FEE				\$ 956.00	

7.  A check in the amount of \$956.00 to cover the filing fee is enclosed.

8.  The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.

9.  Amend the specification by inserting before the first line, the following new paragraph:  
  
This is a continuation of application Serial No.09/425,295, filed October 25, 1999, which is a continuation-in-part of 09/382,199, filed August 23, 1999 all of which are incorporated herein by reference.

10.  New formal drawings are enclosed.

11.  The prior application is assigned of record to: Fort James Corporation

12.  Priority of application Serial No. [Text], filed on [Text] in [Country] is claimed under 35 U.S.C. § 119. A certified copy  
  
 is enclosed or  is on file in the prior application.

13.  Small entity status is appropriate and applies to this application.

14.  The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B.

Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanko Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33, 921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Allen R. Jensen, Reg. No. 28,224; Lori Ann Johnson, Reg. No. 34,498; David A. Manspeizer, Reg. No. 37,540; John Rissman, Reg. No. 33,764; M. Lawrence Oliverio, Reg. No. 30,915; and Therese Hendricks, Reg. No. 30,389.

15.  The power appears in the original declaration of the prior application.
16.  Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
17.  Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852**.
18.  Recognize as associate attorney [Name, Address & Reg. No.]  
\_\_\_\_\_  
\_\_\_\_\_
19.  Also enclosed is \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PETITION FOR EXTENSION.** If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 09/425,295, filed October 25, 1999, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge

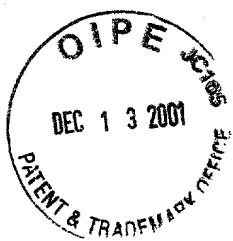
necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 13, 2001

By:

Lori-Ann Johnson  
Reg. No. 34,498



DAC  
PTO/SB/64/(6-95)

PATENT  
Customer No. 22,852  
Attorney Docket No. 2734.511

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Timothy P. Hartjes et al. ) ATTN: Office of Petitions  
Serial No.: 09/425,295 ) Group Art Unit: 1732  
Filed: October 25, 1999 ) Examiner: A. Kuhns  
For: METHOD AND APPARATUS )  
FOR MAKING HEAT- )  
INSULATIVE FOAMED LAYER )  
CONTAINERS AND A WEB OF )  
HEAT-INSULATIVE FOAMED )  
LAYER MATERIAL )

Commissioner for Patents and Trademarks  
Box DAC  
Washington, DC 20231

Sir:

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY  
UNDER 37 CFR 1.137(b), 37 CFR 1.55(c), OR 37 CFR 1.316(c)

The above-identified application became abandoned for failure to file a timely and proper response to the Office action mailed on April 24, 2001, which set a three month period for response. The abandonment date of this application is July 25, 2001 (i.e., the day after the expiration date of the period set for response plus any extensions of time obtained therefore).

LAW OFFICES  
MCNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N.W.  
WASHINGTON, DC 20005  
202-408-4000

12/17/2001 GTEFFERA 00000059 09425295

01 FC:141 1280.00 OP

Applicant hereby petitions for revival of this application.

1. Petition fee

Small entity - fee \$[Fee] (37 CFR 1.17(m))  
 Other than small entity - fee \$1,280.00 (37 CFR 1.17(m))

2. Proposed response and/or fee

A. The proposed response and/or fee to the above-noted Office action in the form of a continuation application:

has been filed previously on.

is enclosed herewith.

B. The issue fee of \$[Fee]

has been filed previously on [Date].

is enclosed herewith.

3. Verified statement

Applicants became aware of the abandonment based upon the Notice of Abandonment dated November 30, 2001, received from the U.S. Patent and Trademark Office after the extended period expired on October 25, 2001.

The delay caused by the abandonment of the application was unintentional.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may

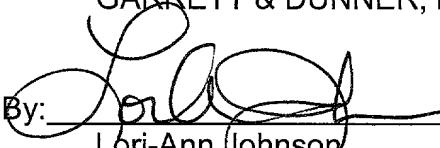
jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

If there are any other fees due in connection with the filing of this response, including any fees required for an extension of time under 37 CFR § 1.136, such an extension is requested, and the Commissioner is authorized to charge any related fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 13, 2001

By:   
Lori-Ann Johnson  
Reg. No. 34,498